

FILED

APR 19 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

KARL ADOLPH FRANTZ,

Plaintiff - Appellant,

v.

BRUCE CANTER, Dr.; et al.,

Defendants - Appellees,

and

BIEVANS, Sgt., Dr. RANALFO
MACABUAY; et al.,

Defendant.

No. 06-15168

D.C. No. CV-04-02055-FJM/JRI

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Arizona
Frederick J. Martone, District Judge, Presiding

Submitted April 5, 2006^{**}

Before: HAWKINS, McKEOWN and PAEZ, Circuit Judges.

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

06-15168

Upon review of the record and appellant's opening brief, this court summarily affirms the district court's order denying appellant's motion for preliminary injunctive relief. *See United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) (per curiam) (summary affirmance appropriate where result is clear from face of record).

AFFIRMED.